

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARTHA BERNDT, et al.,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

NO. C03-3174 TEH

ORDER REQUIRING FURTHER
JOINT STATUS STATEMENT BY
JULY 27, 2009

The Court is in receipt of the parties' June 8, 2009 joint statement concerning discovery and the briefing schedule for Plaintiffs' motion for class certification. This is the fifth such joint statement filed by the parties since Plaintiffs filed their motion on November 17, 2008. The Court does not find it appropriate to set a briefing schedule while the parties continue to have such divergent views on discovery. All discovery matters have been referred to Magistrate Judge Elizabeth Laporte, and the Court now makes clear that this referral includes the setting of discovery motion filing deadlines, should Judge Laporte choose to impose any, as well as the scope of discovery at this stage of the proceedings. Pursuant to the parties' request, IT IS HEREBY ORDERED that they shall meet and confer and file a further joint status statement on or before **July 27, 2009**.

IT IS SO ORDERED.

Dated: 06/10/09



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT